

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: SF30143-srm730\S31884\C\WINDOWS\Temporary Internet Files\Content.IE5\9BJR9HSE\homeboy[1].jpg

Other Known Title: Not Stated

Format: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Applicable

Country of Origin: Not Stated

Language: Not Applicable

Classification:	Unrestricted.
------------------------	---------------

Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 10 March 2005

Date of direction to issue a label: Not Applicable

Applicant: The District Court at Dunedin

Applicant to the Labelling Body: Not Applicable

OFLC No: 500019

Unexcised version of publication: Not Applicable

	Components	Running time
Menu:		
Feature:		
Other timed components:		
Total running time:		

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The publication entitled *SF30143-srm730\S31884\C\WINDOWS\Temporary Internet Files\Content.IE5\9BJR9HSE\homeboy[1].jpg* is classified as:
Unrestricted.

The computer image file contains a photograph of a boy who is nude. To be considered a "matter such as sex" within the meaning of s3(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) the photograph must be reasonably capable of being regarded as sexual in nature. Because the photograph displays none of the characteristics that would cause a reasonable person to regard it as sexual in nature, the photograph cannot fairly be said to pass through the subject-matter gateway of s3(1) of the FVPC Act. The Office of Film and Literature Classification is bound to apply the meaning of "matters such as sex" that is most consistent with the rights set out in section 14 of the New Zealand Bill of Rights Act 1990. The publication is therefore classified as unrestricted.